

THE DONTZIN LAW FIRM LLP
6 EAST 81ST STREET
NEW YORK, N.Y. 10028
TELEPHONE (212) 717-2900
FAX (212) 717-8088
E-MAIL: TDLF@DONTZINFIRM.COM

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HON. MICHAEL J. DONTZIN (1993-2012)
MATTHEW S. DONTZIN
DAVID A. FLEISSIG
TIBOR L. NAGY

RUBEN G. PERLMUTTER
BRIAN S. KOUKOUTCHOS
JASON S. LAPKIN
PATRICK R. MCGEE
RACHEL K. CLAPP

August 27, 2012

VIA E-MAIL

Hon. Judge Paul A. Crotty, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

✓ SO ORDERED: 8/28/12


HON. PAULA A. CROTTY
UNITED STATES DISTRICT JUDGE

Re: *Securities and Exchange Commission v. Philip A. Falcone, et al.*, 12 Civ 5027; *Securities and Exchange Commission v. Harbinger Capital Partners LLC, et al.*, 12 Civ 5028 — Extension Request

Dear Judge Crotty:

✓ We are counsel to Philip A. Falcone in the above-referenced cases (the "Actions"). We are writing to inform the Court that the plaintiff Securities and Exchange Commission has consented to defendants' request that the time for all defendants to answer, move or otherwise respond to the Complaints in the Actions be extended from August 28, 2012 to September 28, 2012. There have been no previous requests for any extensions. The proposed extensions do not affect any other scheduled dates as Scheduling Orders have not yet been entered in any of the Actions.

MEMO ENDORSED

THE DONTZIN LAW FIRM LLP

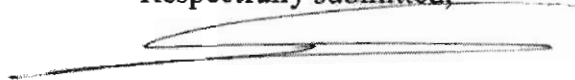
Hon. Judge Paul A. Crotty, U.S.D.J.

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We respectfully request that the Court approve this agreed extension.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David A. Fleissig", written over a horizontal line.

David A. Fleissig

cc: David P. Stoelting, Esq.
Senior Trial Counsel, Securities and Exchange Commission (via email)

David J. Gottesman, Esq.
Supervisory Assistant Chief Litigation Counsel, Securities and Exchange
Commission (via email)

Charles J. Clark, Esq. (via email)
Robert W. Pommer III, Esq. (via email)
Leslie G. Fagen, Esq. (via email)